

EDNA M. McCREE
AND
HARRY R. McCREE

IBLA 78-57

Decided December 28, 1977

Appeal from a decision of the Nevada State Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offer N-17757.

Affirmed.

1. Oil and Gas Leases: Applications: Generally -- Oil and Gas Leases:
Applications: Drawings

An unsigned and undated drawing entry card filed in the simultaneous oil and gas leasing procedures must be rejected, despite assertions of excusable neglect or inadvertence.

APPEARANCES: Edna M. McCree and Harry R. McCree, pro sese.

OPINION BY ADMINISTRATIVE JUDGE FISHMAN

Edna M. McCree and Harry R. McCree have appealed from a decision dated October 6, 1977, of the Nevada State Office, Bureau of Land Management, which rejected their drawing entry card pursuant to 43 CFR 3112.2-1(a) because it was not signed or dated.

The above regulation requires that each drawing entry card must be signed and fully executed by the applicant. Appellants concede that they failed to fully execute the card through inadvertence and assert the failures were "the result of excusable neglect or inadvertence." They submitted a new fully executed drawing entry card with their notice of appeal.

[1] It is well settled that failure to sign the drawing entry card compels the rejection of the lease offer. The Board has consistently held that a drawing entry card which does not satisfy the

mandatory requirements of the regulations must be rejected. Entry cards which are not signed or dated must be rejected. Milo W. Snider, 33 IBLA 42 (1977); John Willard Dixon, 28 IBLA 295 (1976); Frank De Jong, 27 IBLA 313 (1976); Herbert W. Schollmeyer, 25 IBLA 393 (1976); John R. Mimick, 25 IBLA 107 (1976). The assertion of excusable neglect or inadvertence does not afford a predicate for relief. Moreover, appellants could not properly cure the defects of their offer by submitting a corrected entry card. Milo W. Snider, *supra*; Raymond F. Kaiser, 27 IBLA 373 (1976); Ballard E. Spencer Trust, Inc., 18 IBLA 25 (1974), *aff'd* B.E.S.T., Inc. v. Morton, 544 F.2d 1067 (10th Cir. 1976).

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

Frederick Fishman
Administrative Judge

We concur:

Douglas E. Henriques
Administrative Judge

Martin Ritvo
Administrative Judge

